



FACSIMILE TRANSMISSION COVER SHEET

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PAGES (INCLUDING THIS PAGE)

NAME:

Mail Stop Issue Fee

Commissioner for Patents

Alexandria, Virginia 22313-1450

FAX NUMBER:

(571) 273-2885

DATE:

November 20, 2006

SENDER:

Ralph E. Jocke, Esq.

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In Re Application of:

Pietro Scarafile, et al. Art Unit 2876

Serial No.:

10/797,402

Primary Examiner Edwyn Labaze

Confirm. No.:

5591

Docket: D-1219 R3

Filed:

March 09, 2004

For:

Cash Dispensing Automated Banking Machine With Improved Card Retention Capabilities And Method

Please find enclosed an Issue Fee Transmittal form, and Comments on Statement of Reasons for Allowance, for filing in the above-referenced Application. Please charge the Issue Fee, Publication Fee, and Advanced Order Fee to Deposit Account No. 09-0428 of Diebold Self-Service Systems.

Very truly yours,

Ralph & Jock

Reg. No. 31,029

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document and the documents indicated as enclosed herewith are being sent by facsimile transmission to the U.S. Patent and Trademark Office this 20 day of November 2006.

Ralph E. Jooke

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In Re Applica | ation of: | |
|---------------|---------------------------------|-------------------|
| | Pietro Scarafile, et al. | |
| | ·) | Art Unit 2876 |
| Serial No.: | 10/797,402 | |
| |) | |
| Confirm. No. | : 5591 | |
| T211 - 3. |) Na | Duiman : Evansina |
| Filed: | March 09, 2004) | Primary Examiner |
| Б. | Cook Disconder - Assault | Edwyn Labaze |
| For: | Cash Dispensing Automated) | |
| | Banking Machine With Improved) | |
| | Card Retention Capabilities) | |
| | And Method) | |

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowability dated August 28, 2006 kindly enter Applicants' comments of Statement for Reasons for Allowance without prejudice as follows:

NOV 2 0 2006 ...

Comments on Statement of Reasons for Allowance

It is respectfully submitted that while the specific features and relationships mentioned in the statement of reasons for allowance are not disclosed or suggested in the prior art, the reasons for allowance in the statement are not applicable to all of the claims recited in the present application. For example, the Statement in the Notice of Allowability appears to paraphrase features and steps recited in independent claim 31 which are not found in the prior art. However not all of the other independent claims (e.g. claims 1, 17, 38-42) recite all of the features and steps referenced in the Statement with respect to claim 31.

It should be understood that the allowed subject matter is to only be directed to that subject matter which is recited in each claim. Any remarks in the statement which add to or subtract from the recited subject matter should be disregarded.

Respectfully submitted,

Ralph E. Jooke

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